IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 391 OF 2005

Mushtaq Mohammed Siddhi & Anr. .. Applicants.

V/s.

The State of Maharashtra .. Respondent.

Shri P.P. Runwal for the Applicants.
Shri V. B. Konde -Deshmukh, APP for Respondent- State.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 09,2005.

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. It is seen from the record that the role ascribed to the applicants is one of helping the main accused in disposing of the stolen property. In other words, the applicants have not taken any role in the main offence of dacoity but their involvement is shown which is at a subsequent point of time. The applicants are relying on the bail order granted to another accused who was the recipient of the stolen property and claims that the applicants are also entitled for bail on parity. I find substance in the

argument advanced on behalf of the applicants. As the recipient of the stolen property has been granted bail, the applicants have more or less of similar role and not participated in the main offence, will also be entitled for bail and as the investigation is complete and chargesheet has been filed, the applicants are granted bail on strict conditions as follows:-

(a) Applicants are enlarged on bail in connection with C.R.No. I-134/2004, registered with Satpur Police Station Nasik, on executing personal bond in the sum of Rs. 25,000/- (Rs. Twentyfive thousand only) each with two sureties in the like amount.

(b) Applicants shall regularly report to the concerned investigating officer, once in a week on Saturday 10 a.m. to 2 p.m. and also attend all the dates before the trial court without fail.

(c) The Applicants shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that they are responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(d) The Applicants shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

. Ordered accordingly.

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